

**BEFORE THE FLORIDA
JUDICIAL QUALIFICATIONS COMMISSION**

**INQUIRY CONCERNING A
JUDGE, NO. 01-244**

CASE NO.: SC01-2670

**RESPONDENT'S OBJECTIONS TO SPECIAL COUNSEL'S
WITNESS AND EXHIBIT LIST**

COMES NOW, the Respondent, by and through undersigned counsel and files this objection to
Special Counsel's Witness and Exhibit List:

EXHIBIT OBJECTIONS:

No.	Description	Objection to Authenticity	Objection to Admissibility	Basis for Objection
P-5	May 5, 2001, booking photograph of Judge Cope in Carmel	X	X	90.401, 90.402, 90.403, 90.609, 90.610, 90.901, 90.952; Have not seen such document.
P-6	May 5, 2002, video of Judge Cope's booking in Carmel		X	Such statement was taken in violation of Judge Cope's constitutional rights. Have not seen such document.
P-7	Transcript of May 5, 2002 videotape of Judge Cope's booking in Carmel		X	Such statement was taken in violation of Judge Cope's constitutional rights. Have not seen such document.
P-8	May 5, 2002 audiotape of 911 call by Dr. Nina Jeanes in Carmel			Have not seen such document.
P-9	Transcript of May 5, 2002 audiotape of 911 call by Dr. Nina Jeanes in Carmel			Have not seen such document.
P-10	Videotape of Judge Cope's	X	X	90.401, 90.402, 90.403,

No.	Description	Objection to Authenticity	Objection to Admissibility	Basis for Objection
	refusal to take a breathalyzer test following his 1996 arrest in Naples, Florida for D.U.I.			90.609, 90.610, 90.901, 90.952
P-11	Video of Volume I of Judge Cope's Deposition		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614, 90.901, 90.952
P-12	Video of Volume II of Judge Cope's Deposition		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614, 90.901, 90.952
P-13	Video of Volume III of Judge Cope's Deposition		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614, 90.901, 90.952
P-14	Video of Volume IV of Judge Cope's Deposition		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614, 90.901, 90.952
P-17	Special Counsel's Request for Admissions		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614
P-18	Respondent's Response to Request for Admissions			
P-19	Special Counsel's First Set of Interrogatories		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614
P-20	Respondent's Answers to First Interrogatories		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614
P-21	Special Counsel's Second Set of Interrogatories		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614
P-22	Respondent's Answers to Second Interrogatories		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614
P-22	Respondent's Answers to Second Interrogatories		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614
P-23	Special Counsel's Third Set		X	90.401, 90.402, 90.403,

No.	Description	Objection to Authenticity	Objection to Admissibility	Basis for Objection
	of Interrogatories			90.608, 90.610, 90.614
P-24	Respondent's Answers to Third Interrogatories		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614
P-25	Special Counsel's First Request for Production		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614
P-26	Respondent's Response to First Request for Production		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614
P-27	Special Counsel's Second Request for Production		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614
P-28	Respondent's Response to Second Request for Production		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614
P-29	Response to Special Counsel's Emergency Motion for Protective Order (including attached Affidavit of Judge Cope)		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614
P-30	Respondent's Motion to Reopen Discovery and for Protective Order		X	90.401, 90.402, 90.403, 90.608, 90.610, 90.614
P-31	Summary of Cases Involving Allegations of Domestic Violence by Intoxicated Respondent Over Which Judge Cope Presided After Arrest in California (documents to be summarized are listed below)		X	90.401, 90.402, 90.403
P-32	Petition for Injunction for Protection Against Domestic Violence, Case No. 01-004866-FD-022		X	90.401, 90.402, 90.403
P-33	Temporary Injunction for Protection Against Domestic		X	90.401, 90.402, 90.403

No.	Description	Objection to Authenticity	Objection to Admissibility	Basis for Objection
	Violence Without Minor Children, Case No. 01- 004866-D-022			
P-34	Petition for Injunction for Protection Against Domestic Violence, Case No. 01- 005544-FD-022		X	90.401, 90.402, 90.403
P-35	Temporary Injunction for Protection Against Domestic Violence Without Minor Children, Case No. 01- 005544-FD-022		X	90.401, 90.402, 90.403
P-36	Petition for Injunction for Protection Against Domestic Violence, Case No. 01- 004896-FD-022		X	90.401, 90.402, 90.403
P-37	Temporary Injunction for Protection Against Domestic Violence Without Minor Children, Case No. 01- 004896-FD-022		X	90.401, 90.402, 90.403
P-38	Petition for Injunction for Protection Against Domestic Violence, Case No. 01- 007739-FD-022		X	90.401, 90.402, 90.403
P-39	Temporary Injunction for Protection Against Domestic Violence Without Minor Children, Case No. 01- 007739-FD-022		X	90.401, 90.402, 90.403
P-40	Petition for Injunction for Protection Against Domestic Violence, Case No. 01- 005015-FD-022		X	90.401, 90.402, 90.403

No.	Description	Objection to Authenticity	Objection to Admissibility	Basis for Objection
P-41	Temporary Injunction for Protection Against Domestic Violence with Minor Children, Case No. 01-005015-FD-022		X	90.401, 90.402, 90.403
P-42	Petition for Injunction for Protection Against Domestic Violence, Case No. 01-007091-FD-022		X	90.401, 90.402, 90.403
P-43	Temporary Injunction for Protection Against Domestic Violence with Minor Children, Case No. 01-007091-FD-022		X	90.401, 90.402, 90.403
P-44	Petition for Injunction for Protection Against Domestic Violence, Case No. 01-008284-FD-022		X	90.401, 90.402, 90.403
P-45	Temporary Injunction for Protection Against Domestic Violence with Minor Children, Case No. 01-008284-FD-022		X	90.401, 90.402, 90.403
P-46	Petition for Injunction for Protection Against Domestic Violence, Case No. 01-006787-FD-022		X	90.401, 90.402, 90.403
P-47	Order on Ex Parte Petition for Domestic Violence Injunction, Case No. 01-006787-FD-0022		X	90.401, 90.402, 90.403
P-48	Petition for Injunction for Protection Against Domestic Violence, Case No. 01-		X	90.401, 90.402, 90.403

No.	Description	Objection to Authenticity	Objection to Admissibility	Basis for Objection
	004985-FD-022			
P-49	Temporary Injunction for Protection Against Domestic Violence Without Minor Children, Case No. 01-004985-FD-022		X	90.401, 90.402, 90.403
P-50	Petition for Injunction for Protection Against Domestic Violence, Case No. 01-005238-FD-022		X	90.401, 90.402, 90.403
P-51	Temporary Injunction for Protection Against Domestic Violence Without Minor Children, Case No. 01-005238-FD-022		X	90.401, 90.402, 90.403
P-52	Petition for Injunction for Protection Against Domestic Violence, Case No. 01-005753-FD-022		X	90.401, 90.402, 90.403
P-53	Temporary Injunction for Protection Against Domestic Violence Without Minor Children, Case No. 01-005753-FD-022		X	90.401, 90.402, 90.403
P-54	Petition for Injunction for Protection Against Domestic Violence, Case No. 01-005769-FD-022		X	90.401, 90.402, 90.403
P-55	Order on Ex Parte Petition for Domestic Violence Injunction, Case No. 01-005769-FD-022		X	90.401, 90.402, 90.403
P-56	Petition for Injunction for		X	90.401, 90.402, 90.403

No.	Description	Objection to Authenticity	Objection to Admissibility	Basis for Objection
	Protection Against Domestic Violence, Case no. 01- 006729-FD-022			
P-57	Temporary Injunction for Protection Against Domestic Violence Without Minor Children, Case No. 01- 006729-FD-022		X	90.401, 90.402, 90.403
P-58	Petition for Injunction for Protection Against Domestic Violence, Case No. 01- 006895-FD-022		X	90.401, 90.402, 90.403
P-59	Order on Ex Parte Petition for Domestic Violence Injunction, Case No. 01- 006985-FD-022		X	90.401, 90.402, 90.403
P-60	Petition for Injunction Against Domestic Violence, Case No. 01-006952-FD-022		X	90.401, 90.402, 90.403
P-61	Temporary Injunction for Protection Against Domestic Violence Without Minor Children, Case No. 01- 006952-FD-022		X	90.401, 90.402, 90.403
P-62	Petition for Injunction for Protection Against Domestic Violence, Case No. 01- 008443-FD-022		X	90.401, 90.402, 90.403
P-63	Order on Ex Parte Petition for Domestic Violence Injunction, Case No. 01- 008443-FD-022		X	90.401, 90.402, 90.403
P-64	Petition for Injunction for		X	90.401, 90.402, 90.403

No.	Description	Objection to Authenticity	Objection to Admissibility	Basis for Objection
	Protection Against Domestic Violence, Case No. 01- 005037-FD-022			
P-65	Temporary Injunction for Protection Against Domestic Violence With Minor Children, Case No. 01- 005037-FD-022		X	90.401, 90.402, 90.403
P-66	Documents from Case no. CRCAB-18621-CFANO Over Which Judge Cope Presided After Arrest in California		X	90.401, 90.402, 90.403

WITNESS OBJECTIONS:

Judge Cope also objects to the testimony of Sandra Betancourt, Linda Sue Cope, Alvin Hagans, James Noyes, and William Dearborn on grounds of relevance, privilege and 90.403.

Respectfully submitted,

ROBERT W. MERKLE, ESQ.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via facsimile and U.S. Mail to: **Judge James R. Jorgenson**, Chair of the Judicial Qualifications Commission Hearing Panel, 3rd District Court of Appeal, 2001 S.W. 117th Avenue, Miami, Florida 33175-1716; **John Beranek, Esq.**, Counsel to the Hearing Panel of the Judicial Qualifications Commission, P.O. Box 391, Tallahassee, Florida 32302; **John S. Mills, Esq.**, Special Counsel, Foley & Laudner, 200 Laura Street, Jacksonville, Florida 32201-0240; **Brooke S. Kennerly**, Executive Director of the Florida Judicial Qualifications Commission, 1110 Thomasville Road, Tallahassee, Florida 32303; **Thomas C. MacDonald, Jr., Esq.**, General Counsel to the Investigative Panel of the Judicial Qualifications Commission, 100 North Tampa Street, Suite 2100, Tampa, Florida 33602, **Louis Kwall, Esq.**, Co-Counsel for Respondent, 133 North Ft. Harrison Avenue, Clearwater, Florida 33755; this 19th day of June, 2002.

ROBERT W. MERKLE, ESQ.